

Appl. No. 10/763,456  
Amdt. dated June 10, 2005  
Reply to Office Action of March 14, 2005

### **REMARKS/ARGUMENTS**

The present amendment is presented in an earnest effort to advance the case to issue without delay.

In response to the restriction requirement, Applicant elects to pursue those in Group I (Claims 1- 15). Claim 16 is withdrawn. Applicant reserves the right to file a divisional application on the non-elected Group II invention.

The drawings were said not to comply with 37 C.F.R. 1.84(p)(4). The reference character "24" was said to designate both a plastic film or paper layer and a release layer.

Applicant considers that the drawing is correct. However, the specification contains an error with respect to the reference character. Applicant has amended page 4 (line 10) replacing "24" with "26" as designating one of the two release layers. This amendment is believed to overcome the drawing informality.

Claims 3- 8 and 11 – 13 were rejected under 35 U.S.C. 112, second paragraph. Various informalities were noted in Claims 3, 6, 7 and 13. These have been addressed through the present amendment.

Further, Claim 1 has been amended to identify the release member as comprising a silicone. Support is found in the specification at page 4 (line 11). Claim 6 further identifies the silicone as a fluoro silicone species.

Claims 1 – 4, 7, 13 and 15 were rejected under 35 U.S.C. 102(b) as anticipated by Thum (U.S. Patent No. 486,138). Applicant traverses this rejection.

Appl. No. 10/763,456  
Amdt. dated June 10, 2005  
Reply to Office Action of March 14, 2005

This reference fails to disclose a silicone component of a release member. For this reason, Thum could not possibly anticipate the claims.

Claims 5 and 6 were rejected under 35 U.S.C. 103(a) as unpatentable over Thum (U.S. Patent No. 486,138). Applicant traverses this rejection.

Thum does not disclose the claimed thin flexible plastic member. Indeed, in 1892, "plastics" had not yet even been invented.

Claim 6 is directed to a particular type of release coating, i.e., a fluoro silicone. It was not until the late 1940's that silicones were invented, and fluoro silicone was invented even later.

Absent a reference to silicone, fluoro silicone, or thin flexible plastics, the reference simply would not render the claims *prima facie* obvious.

Claims 8, 11, and 12 were rejected under 35 U.S.C. 103(a) as unpatentable over Thum (U.S. Patent No. 486,138) in view of Silvey (U.S. Patent No. 3,025,630). Applicant traverses this rejection.

Silvey does not remedy the basic deficiencies of Thum. There is no disclosure of a release member which comprises a silicone.

Further, Silvey was introduced for disclosing a tab portion 60. By contrast, Applicant's amended Claim 11 specifies a tab with tapered outer edges. See Fig. 1, numeral 46. The tapered edges allow a much easier assembly into tab 44. This is especially useful with a glue board assembly to minimize the messy contact with the adhesive.

Appl. No. 10/763,456  
Amdt. dated June 10, 2005  
Reply to Office Action of March 14, 2005

Claims 9 and 10 were rejected under 35 U.S.C. 103(a) as unpatentable over Thum (U.S. Patent No. 486,138) in view of Palmeri (U.S. Patent No. 4,385,465). Applicant traverses this rejection.

Palmeri does not remedy the basic deficiencies of Thum. There is no disclosure in either reference of a release member which includes a silicone. For this reason, the combination of art would not render the instant invention obvious.

Claim 14 was rejected under 35 U.S.C. 103(a) as unpatentable over Thum (U.S. Patent No. 486,138) in view of Weil (U.S. Patent No. 2,328,590). Applicant traverses this rejection.

Claim 14 of the present invention requires that indicia be formed on surfaces of both the first and second substrates. Weil discloses indicia 23. However, this indicia shown on only one substrate; there are no indicia shown on a second substrate.

Further, Weil does not remedy the basic deficiencies of Thum. There is no disclosure in either reference of a release member that includes a silicone. For this reason, a combination of art would not render Claim 14 obvious.



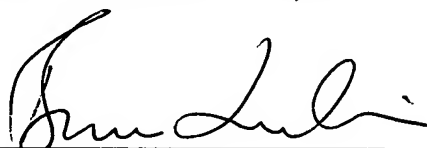
Appl. No. 10/763,456  
Amdt. dated June 10, 2005  
Reply to Office Action of March 14, 2005

In view of the foregoing amendment and comments, Applicant requests the  
Examiner to reconsider the rejections and now allow the claims.

Dated: June 10, 2005

Respectfully submitted,

MALINA & ASSOCIATES, P.C.

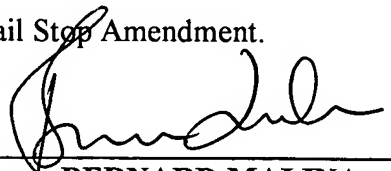
By:   
Bernard Malina  
60 East 42<sup>nd</sup> Street  
New York, NY 10165  
(212) 986-7410  
Attorneys for Applicant

**Certificate of Mailing Under 37 C.F.R. 1.10**

I hereby certify that this correspondence is being deposited on the date shown  
below with the U.S. Postal Service, via first class mail, in an envelope addressed to:

Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450,

Mail Stop Amendment.

  
BERNARD MALINA

  
DATE

c:\mydocs\amendment-ap225